

Message Text

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PAGE 01 STATE 094935
ORIGIN SCS-06

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FM SECSTATE WASHDC
TO AMEMBASSY WARSAW PRIORITY
INFO AMCONSUL KRAKOW PRIORITY
AMCONSUL POZNAN PRIORITY

UNCLAS STATE 094935

E.O. 11652: N/A

TAGS: CASC(SCHULEIN, SOREN)

SUBJECT: W/W SOREN SCHULEIN

REF: WARSAW 2912 AND PREVIOUS

1. UNLESS MRS. MOHRHERR IS DETERMINED INCOMPETENT BY A MEDICAL AUTHORITY NO INFORMATION ABOUT HER CAN BE RELEASED WITHOUT HER SPECIFIC WRITTEN CONSENT. AS THE CHILD DOES NOT APPEAR TO HAVE SUFFERED ANY DAMAGE AS A RESULT OF HIS MOTHER'S ACTIVITIES IN POZNAN THERE WOULD BE NO POINT IN RELATING THE SAD EVENTS TO HIS FATHER.

2. AS THE MOTHER NOW APPEARS TO BE UNWILLING TO DISCUSS SOREN'S WELFARE WITH A CONSULAR OFFICER THE CONSULAR OFFICER IN THE AREA WHERE HE IS LOCATED SHOULD UNDERTAKE TO INFORM THE APPROPRIATE LOCAL AUTHORITIES THAT A VALID REQUEST HAS BEEN RECEIVED FROM THE CHILD'S U.S. CUSTODIAL PARENT CONCERNING HIS WELL-BEING. THE LOCAL AUTHORITIES
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MAY BE REQUESTED TO CONDUCT A FULL INVESTIGATION INTO THE CHILD'S SITUATION AND TO REPORT TO THE CONSUL INCLUDING IN THEIR REPORT ANY RECOMMENDATION THEY MIGHT DEVELOP ABOUT WHETHER HE SHOULD REMAIN IN HIS MOTHER'S CUSTODY IN POLAND.

3. ALTHOUGH U.S.. CUSTODY COURT ORDERS HAVE NO VALIDITY

OUTSIDE THE JURISDICTION OF THE COURT WHICH ISSUES THEM
THE LOCAL AUTHORITIES MIGHT BE INTERESTED TO KNOW THAT
THE COURT IN THE CHILD'S HOME COUNTRY HAD AWARDED CUSTODY
OF THE CHILD TO HIS FATHER.

4. WITH RESPECT TO QUESTION C THERE WOULD BE NO USEFUL
PURPOSE SERVED BY A CONSULAR OFFICER ATTEMPTING TO VISIT
THE CHILD AT THIS POINT.. THE MOTHER HAS ALREADY
INDICATED THAT SHE IS NOT WILLING TO COOPERATE WITH THE
CONSULAR OFFICER AND THERE IS NO POINT IN ANTAGONIZING
HER WHEN THE CONSULAR OFFICER MIGHT BE CALLED UPON AT A
LATER DATE TO ASSIST HER SHOULD SHE BECOME INCAPACITATED.
ALSO CONSULAR OFFICERS INHERENTLY HAVE NO TRAINING IN
CHILD WELFARE AND THE LOCAL AUTHORITIES WOULD BE MUCH
BETTER ABLE TO MAKE A VALID DETERMINATION REGARDING
SOREN'S WELFARE AT THIS TIME.

5. MR. SCHULEIN CAN BE KEPT INFORMED OF ALL INFORMATION
REGARDING SOREN'S WELFARE AND WHEREABOUTS BUT SHOULD NOT
BE INFORMED OF ANY INFORMATION CONCERNING MRS. MOHRHERR.
IF POST DEVELOPS ANY INFORMATION AND HAS QUESTIONS UNDER
PRIVACY ACT ABOUT WHETHER IT CAN BE PASSED FORWARD THE
INFORMATION TO CA/SCS VIA CABLE WITH THE SPECIFIC
PRIVACY ACT QUESTION FOR DETERMINATION AND ACTION IN THE
DEPARTMENT. CHRISTOPHER

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